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REGULATORY AUTHORITY

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February 12, 2001
EXECUTIVE SECRETARY

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VIA HAND DELIVERY

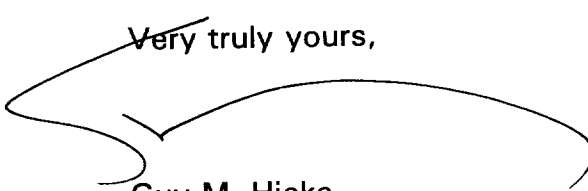
David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Generic Docket to Establish UNE Prices for Line Sharing per FCC 99-355 and Riser Cable and Terminating Wire as Ordered in TRA Docket No. 98-00123*
Docket No. 00-00544

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Supplemental Reply Brief to Address Recent FCC Orders. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,



Guy M. Hicks

GMH:ch
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Generic Docket to Establish UNE Prices for Line Sharing per FCC 99-355 and Riser Cable and Terminating Wire as Ordered in TRA Docket No. 98-00123*

Docket No. 00-00544

BELLSOUTH'S SUPPLEMENTAL REPLY BRIEF
TO ADDRESS RECENT FCC ORDERS

BellSouth Telecommunications, Inc. ("BellSouth") hereby respectfully submits this supplemental reply brief to respond to the comments filed by the Data Coalition on February 5, 2001 concerning the impact on this proceeding of the Federal Communications Commission's ("FCC") Third Report and Order on Reconsideration in CC Docket No. 98-147, *In the Matter of Deployment of Wireline Services Offering Advanced Telecommunications Capability ("Line Sharing Reconsideration Order")*.

DISCUSSION

While its brief ostensibly concerns the FCC's recent order, the Data Coalition used its brief simply as an opportunity to reiterate its request that the Authority order BellSouth to permit CLECs "to place a line card in the digital loop carrier unit that contains both the DSLAM and the splitter functionalities." Data Coalition Supplemental Brief, at p. 4. Indeed, the Data Coalition's brief might be read to suggest that the FCC has endorsed the Data Coalition's position. The FCC did not do so.

As the Authority is aware, it is BellSouth's position that it should not be required to install, for the CLECs' use, dual purpose line cards in the digital loop carrier system. If BellSouth were required to install, utilize, and permit CLECs to utilize dual purpose DLC line cards, BellSouth would be providing unbundled packet switching functionality, which the FCC does not require ILECs to provide except in limited circumstances.¹ And, even if the CLEC were to provide the line cards, the arrangement would amount to joint operation of the DLC equipment, which is certainly not required by the 1996 Act or the FCC.

The FCC did not decide the question of a CLEC's right to place a line card in the ILEC's DLC equipment in the *Line Sharing Reconsideration Order*. On the issue of line sharing, the FCC merely clarified its *Line Sharing Order*² and stated that "the requirement to provide line sharing applies to the entire loop, even where the incumbent has deployed fiber in the loop (*e.g.*, where the loop is served by a remote terminal)." *Line Sharing Reconsideration Order*, at ¶10. In fact, the FCC requested comments on the line card placement issue raised in its Third Notice of Proposed Rulemaking: "[I]n the event the incumbent is using a DLC architecture and assuming it is otherwise lawful under section 251(c)(6), we seek comment on

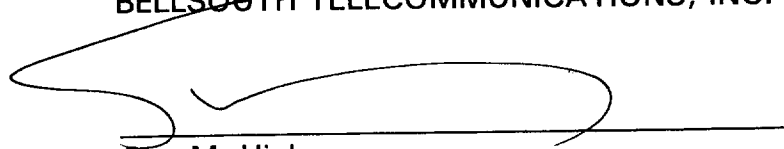
¹ In its recent decision in the Intermedia arbitration, the Authority declined to order BellSouth to provide unbundled packet switching except in the same limited circumstances recognized by the FCC. See February 6, 2001 Transcript in Docket No. 99-00948.

² *Deployment of Wireline Services Offering Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order in CC Docket No. 98-147, Fourth Report and Order in CC Docket No. 96-98, 14 FCC Rcd 20912 (1999).

whether a requesting carrier may physically or virtually collocate its line card at the remote terminal by installing it in the incumbent's DLC for the purposes of line sharing." Id. at ¶ 56. In short, although the FCC apparently plans to address the issue raised by the Data Coalition at some point, the FCC's recent order did not do so.

Respectfully submitted this the 12th day of February, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.

A large, stylized handwritten signature in black ink, appearing to read 'Guy M. Hicks', is written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

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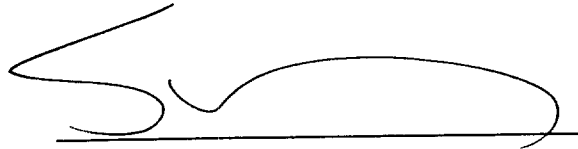
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